

### **REMARKS/ARGUMENTS**

Claims 17, 18, 21-28, 30, 43 are pending and claims 19, 20, 29, 31-42 have been canceled in this Application. Independent claim 17 has been amended, claim 29 has been canceled and claim 43 is new.

#### **Claim remarks**

Applicant has been made aware of Kanegasaki et al., United States Patent Application Publication 20030003570, hereinafter (Kanegasaki '570), during the recent telephonic interview with the Examiner. Kanegasaki '570 does not comprise the structural limitations of Applicant's independent claims. Please see amended claim 17 and new claim 43 above. As such, the claims are believed to be novel and unobvious for at least the reasons presented hereinafter.

Specifically, Kanegasaki '570 utilizes a two piece construction that is then bonded to a glass substrate. Wells 2 are formed block 7 AND substrate 5 that is then bonded to glass substrate 6. This is unlike Applicant's invention "wherein said first microfluidic region, said second microfluidic region, said first plurality of entry reservoirs, said second plurality of entry reservoirs and said barrier region are fabricated into said optically transparent device". Instead, Kanegasaki '570 requires two pieces to form wells 2, namely block 7 and substrate 5 that are coupled together and then coupled to glass substrate 6. Since the structure of Kanegasaki '570 differs from Applicant's structure, Kanegasaki '570 cannot anticipate Applicant's invention as claimed.

#### **CONCLUSION**

It is believed that the claims are allowable over the prior art and that these claims are now in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,



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